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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,075	11/25/2003	Yukiko Yoshida	1081.1184	4909
21171	7590	12/22/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			SMITH, TRACI L	
			ART UNIT	PAPER NUMBER
			3629	

DATE MAILED: 12/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/720,075	Applicant(s) YOSHIDA, YUKIKO	
	Examiner Traci L. Smith	Art Unit 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to papers filed on 10/20/2005.
2. Claims 1 and 9-10 have been amended.
3. Claim 11 has been added.
4. Claims 1-11 are pending.
5. Claims 1-11 are rejected.

Continued Examination Under 37 CFR 1.114

6. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/23/2005 has been entered.

Claim Rejections - 35 USC § 112

7. Claims 1-11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The above noted claims are drawn to the newly added limitations of "environment conditions described as a calculation or formula" and "changing and/or customizing values". Although the disclosure mentions that numerical calculations are used it fails to identify what those calculations are and what factors are used in those

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calculations. Furthermore, the disclosure fails to identify how the results of the calculations are used. As for the limitation of "customizing and/or changing values" the specification fails to identify how the values are changed/customized using the conditions. What about the values is changing? If it's the user values how can the apparatus change them.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims ~~1-10~~¹⁻¹¹ rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 6 052 714; Miike et al. April 18, 2000. Information Filtering Apparatus and method for retrieving a selected article from information resources.

10. As to claims 1 and 9-11 An information providing apparatus and method that provides information to a terminal of user through a network, comprising:
-storage unit for storing environmental conditions that are predetermined conditions for an event relating information provided by predetermined information provider; Miike teaches an apparatus with a storage unit of predetermined conditions.(C.3 I. 32-36)

the environmental conditions being described as a calculation or a formula. Miike teaches generating the information by “calculating” the similarities between the articles and the user profile” (C. 8 I 9-11).

-a control unit for acquiring user conditions that are inputted by the user and that are the conditions relating and specific to the user, from the terminal of the user through the network; Miike teaches an apparatus with a unit for receiving conditions(C. 3 I. 48-49)

-a structuring unit for structuring, in conformity with the environmental conditions, detailed information that is the information corresponding the user conditions relating for the event, *including customizing values of the information*(Miike teaches ranking items according to the value determined by similarity C. 4 I. 5-6, 10-12) Miike teaches an apparatus with a unit for querying information (C. 3 I. 62-63)

-the control unit distributes the detailed information to the terminal. Miike teaches an apparatus with a unit that distributes the information(C. 4 I. 7-9)

11. As to claim 2 Miike teaches an apparatus with a storing unit and a unit to perform query(C. 4 I. 7-12)

and allows user to alter extracted information(C. 7 I. 57-60).

12. As to claims 3 and 4 Miike teaches an apparatus with a unit executing a program in response to conditions(C. 3 I. 47-49)

13. As to claim 5 Miike teaches an apparatus with a unit that can create a value to determine information(C. 4 I. 1-4)

14. As to claim 6 Miike teaches an apparatus with changing conditions and recreating detailed information that is distributed to the user(C. 7 I. 65-67; C. 8 I. 1-2).

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15. As to claim 7 Miike teaches an apparatus providing a news article as the information(c. 3 l. 2-4).

16. As to claim 8 Miike teaches an apparatus linked via a network(c. 3 l. 10-11)

Response to Arguments

17. Applicant's arguments filed September 23, 2005 have been fully considered but they are not persuasive.

18. Applicant argued that the prior art failed to teach the newly added limitation of the amended claims 1, 9-10 of 'calculations' and 'customizing values'. The examiner notes these limitations have been addressed in the above rejection showing where and how Miike teaches the limitations applicants maintains the prior art of record is missing.

19. As to applicants arguments/statements newly added claim 11 that Miike searches without adapting the excerpts. The examiner notes C. 7 l. 10-22 address how Miike's invention determines what information is being relayed from the article of question. Furthermore the examiner notes the form in which claim 11 is written it does not positively recite adapting the information. It broadly claims "customizing information" which can be read has merely supplying information to a user based on the search requests, i.e., the information is gear towards what the user is looking for therefore it is a custom query result for that specific user for that specific search.

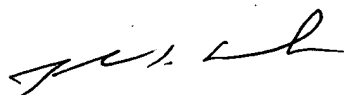
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Traci L. Smith whose telephone number is 572-272-6809. The examiner can normally be reached on Monday-Thursday 6:00 am-4:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TLS



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